Pina Bausch's *Café Müller: Tanztheater* as Theatrical Jurisprudence

Marett Leiboff

1. Frontispiece

In the first few months of 2025,[1] the world witnesses a present that was also a past: secretive deportations of long-standing residents, green card holders snatched off the street by government officials, democratic principles, the rule of law and the courts and judges threatened, and threats made to annexe neighbouring countries and friendly territories. An avalanche of executive orders generated a slew of claims grounded in their unlawfulness and unconstitutionality, clogging the courts. The black-clad presence in the form of an unelected and unappointed billionaire and his DOGE, or Department of Government Efficiency, sacked workers in federal agencies and closed departments and agencies, stymying health, climate, science and education programs and more without congressional fiat, all later to be recognised as lawful. 'Data' - closely protected information about citizens, individuals, families – slipped out of protected regimes. The traducing of fundamental legal norms and democratic principles produced shellshock and statis, but it didn't take long for this all to look very normal, underpinned by decisions of pliant courts.

Seemingly unprecedented, this all-out assault on the fundamentals of law and legality under the 47th President of the United States of America is far from new. Its playbook echoes the accession of a new

Chancellor in Germany in 1933, when judges considered enemies of the regime, or of the wrong ancestry, were physically removed from their courtrooms and were arrested and jailed (Fountaine 2020: 220-227; Leiboff 2012, 2016, 2022). In 2016, I theatricalised how law, with its emphasis on macro abstraction, is ill-equipped to notice the kind of quotidian events that mark a descent away from a properly functioning legal system before anyone realises just what is happening (Leiboff 2016). In 2025, no one noticed what was going on, except for those whose own lives were stamped with these events (Leingang 2025).[2] One of the first things Nazi Germany did was deport 'unwanted' long-standing residents back to countries of origins, like Poland; one of the first things the US President did in 2025 was deport 'unwanted' long standing residents back to countries of origin – in secret and through stealth. In May 2025, the US Supreme Court intervened to insist on proper processes, though this didn't last (*A.A.R.P. v Trump* 2025). In isolation, these deportations miss what they presaged in their earlier iteration: those deported in the early 1930s weren't merely re-emigres from Germany to Poland (sometimes only constructive), but a first step towards the systematised murder of 3 million Jewish Poles.

2. Theatrical Jurisprudence and Tanztheater as Bodily Memory

It took until April or May of 2025 for this violence to the foundational concepts of law and legality to be understood for what it was. Not quite the physical violence displayed in Nazi Germany, nonetheless these interventions operated within the same logic – to remove obstacles fettering unlimited power and dispensing with law, including the removal of enemies, opponents and those unwanted by the regime. Such recognition could only happen by theatricalising: noticing events as an anterior bodily recognition, rather than trying to rely on abstract legal thought alone. Drawing on the body as memory, as theatre visionary Jerzy Grotowski had it (Leiboff 2020: 7 citing Cieślak in Laster 2012: 214), and now explained through neuroscience as something which operates autonomously and is activated without conscious awareness

after a period of training (Tsui 2025), our bodies speak to us first. We then gather our reasoning mind to comprehend the issues at hand. Dance and movement manifest this mode of recognition *par excellence* and, as this piece goes forward, it will reveal how a particular piece of tanztheater contains within it the memory needed to recognise what is happening in 2025 – from the past, for the present, bodily. It is dance as law, but it also reveals the interpretative dangers in law when we have lost the lodestars and touchstones of legality and replace it with the authorising self.

Training theatrically – and as dance – in law seeks to find ways for us to notice the world beyond our own expectations, as a precursor to being attentive to the materiality of law applied and lived (Leiboff 2020: 134-142; Fybel 2022). Take an abstract concept, like knowing that judicial independence is a fundamental principle in law. Impeaching judges who make decisions against an administration should alert us to a dangerous erosion of legality. Yet we might not make the connection and simply accept a decision of this kind. On the other hand, if we know that the judiciary was debased in Nazi Germany, and that lawyers and judges and academics had to be Nazi party members (Muller 1994; Fountaine 2020: 224), we are able to feel, bodily, that there is something wrong when demands are made that judges' decisions must conform to the position of the administration. We prick up our ears, but if we don't, the absence of bodily recognition leaves open interpretative porosity that says 'well, maybe this is okay' when all the basic principles of law are breached.

Nazi Germany is not used accidentally here. It is the by-word for a system of law that failed, permitted, authorised and turned a blind eye to evil and genocide – and became a touchstone and lodestar for law as well as the tanztheater to come. But now, it is nearly impossible to know how law was damaged in Nazi Germany through the loss of memory, while over the last twenty or more years, new pasts constructed. Nazi jurists and their work, like Carl Schmitt, have been rehabilitated, while the facts and history of the murderous Nazi regime have been lost to common knowledge. The work of jurisprudents in

the immediate aftermath of the World War Two, who attempted to theatricalise abstract and ideal jurisprudences, wanted to embed law's complicity, to enable us to notice events, actions and the like that signal the debasement of law. They told stories and parables, and theatricalised, to bring events to life. But now, the theatricalised natural law parables of the American Lon Fuller, setting out the ground rules that mark out the failure of an entire system under law that was Nazi Germany is missing its key point of reference. Fuller had warned in the 1950s and 1960s of the ease with which law and its administration in Nazi Germany failed the hallmarks of law and legality – that it failed the morality of law. It was too late to do anything much after the event, so being aware of what was happening in the here and now also needed pointers and markers. Seeking to overcome the positivist criticism of *lex injusta non est law* – an unjust law is not law – he crafted a descriptive and material account of natural law to alert us to the breakdown of an entire system under law – that it was never law in the first place. These descriptive techniques materialised the abstract and ideal forms of natural law decried by positivists, but sought to alert lawyers, as literalists, to notice when law and legality are under threat. These included the 'law' where it is impossible to know what you are expected to do, just like an impossible slew of executive orders that disregard legal forms and forms of action absent legal authority, or can do, like change your hair colour or race or ethnicity, at pains of deportation or worse (Fuller 1969: 3-32).

Fuller theatricalised what he had seen in Nazi Germany, albeit recast in the figure of a bumbling and incompetent King Rex, seemingly to neutralise the idea that law could only fail as a system in outlier regimes. A hopeless monarch, King Rex is pregnant with his originating image of an evil regime (Fuller 1969: 33-94), but so too in his absurdist, satirical antecedent, Alfred Jarry's 1896 *Ubu Roi* (Jarry 2013), the buffoon King Ubu, who abuses authority without care, for greed. As I write, I am surprised that Fuller hasn't appeared in discussions or argument in the USA in the first few months of 2025. He has probably been forgotten, or his arguments misunderstood as looking backwards rather than for the future. His natural law acts as

a talisman, as it were, for what comes next: of Nazi Germany, of law and its effects, and of what happens when we function in a perpetual present, within the worlds that make sense to us, discarding or avoiding what we don't know, don't understand and don't care about. It is the reason why most of us are oblivious to the underlying threat towards legality in the USA. We need to turn to the past, to be reminded.

I leave this bare introduction to theatrical jurisprudence now, but I ask that you hold onto its fragments, because they are central to what comes next. I turn to a piece of tanztheater and its choreography as parable for what we do in law, in three ways. The first is the place of memory – the way law can be so easily swept aside to remove legal protections for a group of people. The second is the danger to law when pasts have been forgotten in the present, and new meanings created based on our personal preferences or expectations, which happened to this piece of tanztheater – as proxy for law absent memory and beholden to what we might want a text to say based on our own knowledge and expectations. And the third, the demand of theatrical jurisprudence – that, in law, we need to be brought into a place where we need to experience, to live, even for a short time, lives that aren't our own, to be able to notice circumstances in law beyond our own lives.

3. If Only *Café* Could Still Speak

Pina Bausch's 1978 masterpiece, *Café Müller* (*Café*), demands that we as audience experience the profound damage, hurt and terror produced by Nazi Germany. The piece lays bare, bodily, the abjectness and horrors of the Nazi regime and its aftermath in Germany, as a reminder for now. However, for inexplicable reasons, it was reframed by a new Artistic Director of her Company, Boris Charmatz, as a piece about *love*, in productions between 2023-2025. I work with *Café* through intertwined études, beginning with the recent productions before returning, dramaturgically, to its creation in 1978, and then reading it afresh in a hope of conforming with her intention of her piece, as a reminder of what is at stake for law in 2025.

Until 14 March 2025, I had never seen *Wuppertal Tanztheater Pina*

Bausch ('Wuppertal'), Pina Bausch's company, live. *Café*, a 40-minute "stück", or piece, has been hailed as Pina's masterpiece. It was brought to Australia for the Adelaide Festival, nearly 50 years after it premiered. Pina, as she is known, who died in 2009 at the age of 68, had utterly redrawn the language, practices and processes of dance theatre – tanztheater. I had first encountered her work in the 1980s when I was doing an MA in Theatre Studies and devoted a 5000-word paper to her and her antecedents in German expressionist dance. I watched the 1985 filmed version (held in the Pina Bausch Archives) repeatedly because it seemed that Charmatz's program, *Club Amour*, was at odds with Pina's piece. He had claimed *Café* for love. Faithful to the steps, costumes and set (up to a point), this new version on stage in Adelaide was an exercise in bodies and their movement – and very little more. For anyone who had seen the filmed version, it was all too obvious that something wasn't right. The audience response the evening I saw it was muted, at best. There is love in the piece, as we will see later, but it isn't a piece about love. It mattered to her, deeply, because Pina continued to dance in it until she was simply physically unable, just before the end of her life, suggesting a deeply held responsibility to it.

Germany was the key in several respects. An industrial city in the Ruhr, Wuppertal has remained indebted to Pina, restaging and reprising her pieces, in conjunction with the Pina Bausch Foundation, the copyright owner of her work, overseen by her lawyer son, Salomon Bausch. In 2022, the Frenchman Charmatz was appointed Wuppertal's fifth artistic director, while remaining with his own company *Terrain Boris Charmatz*. Less than three years into his eight-year contract, Charmatz and Wuppertal jointly announced in March 2025 that his tenure would be ending in the summer of 2025. I can only speculate that his approach towards the piece had everything to do with his departure.[3] Known for his own exciting body-based choreography, *Café* had already been programmed for the 2023 season before his arrival: 'I did not choose *Café Müller*', he said (Piekenbrock 2023).[4] Embedded with two of his own works as *Club Amour*, he wanted 'to explore an important piece of dance history and bring its archaic characters into the present' (Piekenbrock 2023). The program premiered in 2023 at

Wuppertal; his *Café* was poorly received: 'Melanie Suchy reviewed the evening for us and comes to the questioning conclusion: "Maybe it's time to close the "café", … that it was the scantiest applause this reviewer has ever experienced for a dance theatre performance in Wuppertal in the last 35 years' (Dilger 2023).

In the wake of this poor reception, Charmatz went on the offensive with dance dramaturg Marietta Piekenbrock, hailing *Café* as a gem (but was that because of Purcell's music?) while framing the piece as an archaicism, dissembling, 'what is the piece saying to us today?', unshackling the piece from its source 50 years earlier, 'I am interested in the question of how these gestures and movements from the past can be danced by bodies living in the present … *Café Müller* is a piece of history with a new present and future' (Piekenbrock 2023), and framing his own iconoclasm as simply continuing Pina Bausch's own radical legacy. As in Wuppertal, the Adelaide program was heavily criticised. Dance critic Deborah Jones remarked: 'Bausch's work asks for the deepest understanding of needs, motivations and expressions' (Jones 2025), while the splendidly pseudonymous Wolfgang von Flugelhorn remarked, critically, that: 'it's difficult to watch *Café Müller* … without thinking about Nazism, World War II and the Holocaust', remarking that Bausch's work was about 'working through historical and personal trauma … [its disconnection means] only the empty gesture of memorialisation remains' – that the production was faithful to the letter, but not the spirit of the original work (von Flugelhorn 2025).

4. Creating *Café Müller*

Café was created in second period of Pina's work (1973-1980). It premiered at the Opera House Wuppertal on 20 May 1978, one of four unnamed pieces in a program that went under the general title of *Café Müller*, and the only piece created by Pina. It was given the moniker later. The Adelaide Festival program remarks that it as one of Pina's most iconic works and 'one of the most influential dance pieces of the 20th century', an autobiographical work, with the central character of a sleepwalking woman who staggers with her arms outstretched,

through a dark and cramped restaurant, while 'a cast of devastated characters plays out a litany of tender cruelties as they lift, drop, and chase each other in a feedback loop of perpetual disappointment' (Adelaide Festival 2025).

There is no question the piece is inflected by Pina's identity as German war baby, the dance practices she inherited, and the forms of training she inhabited (Climenhaga 2013). Born in 1940, she was a child of Nazi Germany and its aftermath. Immensely talented, she began dance classes as a child, before formal dance training at the Folkwangschule in Essen with Kurt Jooss, a pioneer of German tanztheater. She was awarded a scholarship to train at the Julliard in New York in the early 1960s, before returning to work with Jooss. Wuppertal approached her in 1973 to taken over its opera ballet, which she renamed Tanztheater Wuppertal.

Pina inherited the practices and techniques of expressionist dance, or *ausdruckstanz* (Elswit 2014: xxiv-xxv),[5] from Jooss and his contemporaries, Rudolf von Laban and Mary Wigman. It was 'new' 'free' artistic', 'expressionist', and 'modern', a form of dance that reveals the soul or the body (xxiv). Influenced by Dalcrozian eurythmics of the late 19th and early 20th century, movement was reconceived as being an 'expression' that emerged from within to reveal itself through the body, rather than the other way around (xxviii). Pina was introduced to American modern dance during her time in New York, particularly Martha Graham's work, which, like *ausdruckstanz*, was grounded in the emotional connection between bodies and audiences but also rejected the lightness of ballet-like dance (Klein 2020: 30). Pina hadn't intended to create a radical new form of dance or theatre, but that was what emerged (50 n 58). It wasn't *ausdruckstanz*, tainted by Nazi association (Müller 2013: 19-25), but she drew on its grammar and ideas, along with theatre and pop culture. She disrupted expectations, inserting voice and words in her pieces, dressing her dancers in ballgowns and high heels, filling her stage with dirt and water. This was total theatre, or *gesamtkunstwerk*, in which dance steps were never conceived of in isolation from the whole work. Movement came from within and

developed through her dancers who were fundamental to the creation of her pieces. Her pieces demanded a deep engagement between audience and the piece as a whole; just like the radical reconceptualisations of theatre in the 1960s created by her contemporaries.

Gabriele Klein points out that Pina and her collaborators brought the troubled, revolutionary politics of her era into tanztheater (Klein 2020: 8-9); indeed, Pina mentioned to one of her dancers that 'my work is political, you know that' (Viviana 2018b). German war babies, Klein observes, rebelled against the reluctance of their parents to discuss Nazi Germany and their unwillingness to accept their responsibility for what happened during that era (Klein 2020: 30). Pina demands in *Café* that we are brought into the terror, horror and fear of living in a state riven by violence and lawless power. As Klein observes, some of Pina's childhood appears in her pieces (90), and these 'picture memories', full of sounds and aromas and the people who have been part of her life from the past, 'keep coming back and searching for a place'; her experience as a child 'takes place again much later on the stage' (90). Experiencing deprivation and hunger during the war, her parents' hotel and restaurant in the old Solingen area of Zentrum became a playground, where she hid under restaurant tables and heard about friendship, love and quarrels, while looking at table legs, chairs, trouser legs, and high heels (96). Her parents' establishment, long since demolished, wasn't far from the original *Café*; its half-timbered building still standing and now adorned with a plaque (48). An area once full of life, the building sits in a no man's land of a major throughfare (92), a symbol and reminder of a lost world, of a Germany destroyed by genocide and war. Klein reminds us of the fate of Solingen's Jewish population and citizens who rejected Naziism, who were imprisoned, tortured, sent to concentration camps and killed, including three-quarters of the Jewish population of 200 or so before 1933. Solingen was subjected to series after series of bombing raids which began in 1940 (93). *Café* brings us into this world of terror, fear and despair. As Jan Bolwell, playwright, choreographer, director and dancer remarked in 2016, reviewing Wuppertal's production of *Café* in New Zealand:

> With its six distinctive disturbed and disturbing characters, [it] is a dark quintessentially European work that reminds one of the numerous threatening café scenes in films about wartime Europe. This nihilistic, paranoic and claustrophobic environment where spectral women walk blindly into chairs and tables that are flung across the floor by a man with increasingly manic energy, where bodies crash into and are flung up against walls before sinking to the floor, where a be-wigged woman totters memorably and aimlessly around the stage in her orange high heel shoes, sets up a scene that draws you powerfully into its vortex (Bolwell 2016).

In February 2025, Pina's civil rights lawyer son, Salomon Bausch, confirmed this reading of Café: as 'one of the "most crucial and delicate things to achieve" ... is the preservation of the humanity at the heart of her work' (Crompton 2025); Crompton remarks that 'she created a world that became synonymous with a particular viewpoint ... [having grown up] in the second world war and was shaped by the experience' (ibid). It isn't hard to see these words as a rebuke of Charmatz's denuded, misread *Café*. So too the depth of understanding the dancers needed to inhabit the piece, of a kind that Grotowski demanded of his actors. Sarah Crompton observes that Pina, in blending dance and theatre, 'tackled the great themes of human existence through movement that is both beautiful and visceral, highly complex and yet often apparently simple' (ibid). She eschewed the idea that physicality was enough to manifest Pina's work, that it is easily transmissible through steps to reproduce and recreate her choreography, but rather argued that Pina's work relied on trusted dancers contributing to the creation process, 'from which she wove works that operate like tapestries of hope and suffering, happiness and sorrow, violence and loveliness' (ibid). Nearly 10 years earlier, Bolwell observed that, when watching *Café*, 'you know you are witnessing performers with a deeply embedded understanding of the work' (Bolwell 2016).

I have decided to not try to describe the piece to you. I ask that you access a device to watch the 1985 film, available for individual viewing under licence through the Pina Bausch Foundation, along with still photographs, archive material, photographs of costumes, playbills, interviews and more,

some from the original 1978 production. Two original cast members are missing from the 1985 film – Rolf Borzik, the designer and Pina's partner, who died in 1980, and Meryl Tankard, who had left the company to return to Australia. Nazareth Pandero replaces her.

Those inured in history, time and place, in movement and choreography, as well as in the textual clues of the libretto and music, knew exactly what Pina was doing in the piece (on which more shortly). But we see what happens when these factors are lost, as exemplified in Roberto Frantini's extended psychoanalytic reading of *Café*. Here in the piece is characterised as an exercise in style, because of its relatively speedy creation and not having a specific program (Frantini 2018: 4). In Frantini's reading, the dancers are framed as six characters in search of a denominator (5), and telling the story of the characters, 'if that is what they are', is impossible (5). A reading of the piece as love or death is brought to bear by false clues in the piece (6). Gabriele Klein, the dance sociologist who has spent her career studying Pina, easily narrates the history and contexts of Pina's work, but awkwardly turns the piece inwards, reading it as an engagement with loss, isolation, and loneliness, exploring feelings of intimacy, security and abandonment, as well as mindfulness and attentiveness to others (Klein 2020: 48). She sees the space as a dilapidated hall, with chairs everywhere and no space to dance (48-49); the dancers seem to be sleepwalking, wandering, self-engrossed (49). She reads it as one of Pina's most intimate and personal pieces that is a translation of her generation's lack of orientation and search for community, a lack of being there for one another, personal fumbling into the unknown, mutual support and desolation, grief, distress and longing (103). In Klein's account, Pina moved around, barefoot, shivering, searching with eyes closed and arms open wide, stumbling along walls and through the space filled with black coffeehouse chairs that were randomly and chaotically scattered around – a café after an air raid. She reads some of the original dancers thus – Dominique Mercy raged against himself, the wall, the others, while Meryl Tankard was lost, decked out in fancy dress, an overflowing trashy femininity in heels and a wig, while Rolf Borzik, in moving chairs out of the way, attempted to curb the chaos, destruction and loneliness in vain (103).

And Charmatz's reading? He reframed the space as a lecture theatre, perhaps, a theatre space, a waiting room; he decided that Rolf Borzik's original set created a transitional space, the empty chairs reminiscent of a waiting room, and was unable to understand the decision to use a revolving door. That its name, its Mittel Europa set characteristic of 1920s and 1930s communal spaces, couldn't generate recognition, was astonishing. In 2024, the Berliner Festspiel program asserts that: 'all three [pieces] touch on topics like desire, sexuality, nudity, intimacy and longing … which finds direct expression for "utopian ideas of connection"'. *Café* itself is now to be understood 'as the next chapter' about 'relational energy', desiring and not desiring, a feature film, with feelings flying back and forth (Piekenbrock 2023). In the Berliner Festspiel program, Charmatz remarks:

> In the early filmed versions [*sic*], it is striking to see desire at work. Bodies seek one another, grope for one another; fingers call out for touch. The life of the theatre intersects with the life of the artists. The roles seem to be carved out of thick human relationships. This made me want to present the play on an evening where love, loves, desire, desires would be the core (Berliner Festspiel 2024).

In an interview conducted when his own version of *Café – Forever* – was presented at the Festival d'Avignon (Charmatz 2024), Charmatz explored what he was doing with the piece in a seven-hour adaptation, noting that he wasn't supposed to be a part of Wuppertal's production, but intervened anyway. He had already made it clear in his insistence that the dancers needed to feel they were dancing in 2023, and that they were dancing their own role, not that of the creator of a character – that it was the life of the dancer that had to appear, to find what the piece was saying today. This was a laboratory, eventually lighting on the explanation about how the gestures and movements of the past can be danced by bodies living in the present, meaning that *Café* was now a piece of (unwanted and discarded) history (Piekenbrock 2023). The production was rendered void, empty, and meaningless, and discarded Pina's text, despite the replication of costume and – up to a point – choreography and set.

Pina herself refused to explain her own work. In a rare interview, she was asked: 'You never state what meanings lie in your works, only that they are open to interpretation. Are you sometimes surprised by those interpretations?' (Bowen 2013: 99), to which she replied, 'What I do is so exact, not just something free' (99), 'when some people don't see what I do. For me, it is so clear' (100), and that 'if I tell what I feel or what I want in a piece of work, then people in the audience try to look at it with my eyes … but they should feel it themselves. That is why I do not talk about meanings' (102). So too the integrity of her pieces (101), remarking that 'we try to do it in a certain way, but of course they change slightly', but that 'when something really works, I want to keep it like that' (101). So too newcomers to roles, where she eschews individual interpretation; that each piece is done, set, but that anyone new needs to make it their own: 'It is like *Hamlet*. They are very *exact* parts (original emphasis) … They have to create the same each time, or better, of course' (101). Her pieces were simply not open for interpretation. She imbued text into the body itself. Finola Cronin wasn't given a narrative for Meryl Tankard's red-wigged woman when she took over the role (Viviana 2018b), but was told the steps would tell her what she needed to know (Viviana 2018a).

5. Reading Pina's Mind

> 'I am not interested in how people move but what moves them' (Bausch 2007).

Movement, set, space, costume and music are key to reading Pina's mind, to know what her pieces mean. It is through these elements that I offer a reading of *Café* that is consonant with Salomon Bausch's account of his mother's concerns (Crompton 2025), the dramaturgical markers that Klein narrates, and the choice of music, the dark wood and panelling of a café that marks the set, 1930s costumes and choreographic forms – the angular movements of eurythmics or the echo of the prince in *Swan Lake* (Pepita and Ivanov 1895) who dances himself into oblivion – deployed in the creation of this piece. In reading what comes next, I ask you to think about our practices as

legal interpreters in reading the past in the here and now through case law and doctrine; the subtleties of principle expressed in the subtextual in music and dance grammars as a parable for law. There is law here, of the kind that Fuller recognised, interstitial and lived, the effect of statute or legal form as well as the operation of bare and unfettered power absent law.

My reading is not so far from the reviewers who were aware of the deep historical clues, paying attention to the dejection, abjection, sheer terror, and loss of control. There is love, but far more wretched than Charmatz's misreading can account. Pina uses four arias from Henry Purcell's operas, *The Fairie Queen* (1692) and *Dido and Anaeus* (c1688), which are in the minor key – 'Dido's lament (When I am laid in earth)', the plaint "O, let me weep', 'Now, winter comes slowly', and 'See even night herself is here'. These are pieces that mark mourning, distress, and tragedy, and the lyric – remember me – denotes what lies within the piece. The counterpoint of silence is choreographed at the beginning to the sound of bodies stumbling through chairs and tables as they're being thrown from their path, or bodies being dropped and flung against walls. The piece ends in silence. Silence is that secret, hidden complicity that Pina wants to lay bare in the piece.

And the characters, who I will name for their originating dancers. Pina's character has been described as a somnambulist or a ghost, but she is death personified. She wears a 1930s style satin long slip, her hair is tied back in a ponytail, and she occupies the space first. Her eyes are tightly closed, her arms outstretched with a stumbling movement, and she avoids chairs being moved around by a man originally played by Borzik. Taller, gaunt and angular, she periodically retreats to the upper left side of the stage – seated on the ground, lying against the wall, not interacting with the other characters until right at the end, though mirroring some of them, eurythmically, sometimes to Purcell, sometimes in complete silence. She periodically punctuates her movement with an anguished ripple, suggesting being hit by a bullet or shrapnel. Her movements are entirely those of preferred modes of dance of Nazi Germany. Her blindness is literal and symbolic, and turning

away from others as the piece unfolds invokes the pain of apathy and guilt. She symbolises a Germany blind to the horrors that unfolded during the Nazi era and the continued disavowal of responsibility for complicity and more, until right at the end of the piece. She periodically dances in unison with a young woman, until any connection between them is ripped apart after the first period of music.

The young woman was created by Malou Airaudo. Assumed to be Pina's alter ego, the text instead suggests she is a ghost of another character, the red-wigged woman created by Meryl Tankard (in the filmed version, Nazareth Pandero). She wears a white satin cap sleeve day dress, her dark hair flowing loose. Shorter and muscular, her motifs are sensuous and lyrical. We first see her near the beginning of the piece stumbling through the chairs, just after the red-wigged woman skitters through the door and out of the space. The young woman's eyes are also nearly closed as the chairs are moved out of her way. She is clearly in love with the character created by Dominique Mercy, her young tow-headed boyfriend. Early in the piece, downstage right, they see each other and embrace. But within no time, a fourth character, a stern suited man, created by Jan Minařík, intervenes, slowly releasing their embrace, and she is dropped to the ground. They reinstate the embrace and each time he returns repeating the movement increasingly harshly and speedily each time, until they mark a form of learned helplessness by simply breaking their connection themselves over and over again.

Once read this way, we should be able to see what is happening, in conjunction with the music and libretto. This is an intervention that violently prises lovers apart because of who they are. The young woman must be read as Jewish, the man a suit-wearing Nazi, forcing her and her boyfriend apart. She is left isolated, ignored by the Pina character who initially mirrored her, and retreats upstage and right to a table where she throws herself with her dress removed for extended periods. Her boyfriend is bereft, repeating harrowing solos where he throws himself to the ground, as if the prince in *Swan Lake* (Pepita and Ivanov 1895), while the man keeps intervening. The young woman's face and body reveal her helplessness and the shock of isolation, and,

in a different *pas de deux*, again with the intervention of the man, they try to reconnect but instead are thrown against a wall repeatedly, downstage left. There is simply nothing left for them. They boyfriend is cajoled, harassed into ignoring her. His distress is excruciating. We need to read this interaction by understanding that the young woman is deported to a death camp, her steps curtailed by walking in the hands of the men, being caught and denied any remaining agency. He is bereft that he has been complicit in her demise.

Finally, Meryl Tankard's red-wigged woman. The rest of the cast is dressed in neutrals, but she appears in striking colour, a turquoise dress, pink-red heeled shoes, a black man's coat and a bright red wig, a Weimar girl with a *bubikopf*, a bob or boy's haircut, echoing the scandalous cabaret performer, Anita Berber, and so symbolising decadence. She tips and taps and skirts around the action, watching and wanting to help but unable to be seen or physically connect with the others, a common motif from romantic ballets of the 19th century, until late in the piece, where she shares kisses with Dominique Mercy, breaking the spell of a ghostly connection. At one point she returns, removes the coat, and slips off her shoes to perform a series of cautious semi-erotic solos, her back to the audience, before leaving. She is never on the main part of stage at the same time as the young woman, though she appears while the young woman is rendered prostrate over the table in her despair but never interacts with her. This is because they are one and the same, what the young woman would have been if her life hadn't been taken from her. The young woman returns as a middle-aged woman to a bereft café as the red-wigged woman who seems so lifelike but is a ghost.

There is another clue that vouchsafes this reading. In the last few minutes, Pina moves diagonally to downstage right. The red-wigged woman moves from the back of the stage, removes her coat and places it on Pina's shoulders and then dislodges the red wig and puts it onto Pina's head. In the original production, the red-wigged woman exits to the right and the Pina character, wearing both items, moves back across the stage, with the young woman and Mercy now outside, the

revolving door marking an uncertain fate. In the Charmatz version, the piece instead stops when the Pina character is robed.

Under the red wig, the dancers have dark hair. In clothing the Pina character with coat and wig, Pina is burdened with the guilt of her demise, when she was betrayed and isolated. Without this reading, the moments when the red-wigged woman and Dominique Mercy's character kiss make no sense. None of this makes sense without knowing the iconography of red hair as a mark of Jewishness for the Nazis, as evidenced by some of the most horrific antisemitic propaganda in Nazi Germany.[6] And so too the purported decadence of Weimer Germany, her motifs as Weimar girl echo the fun and excesses of movement in Weimer cabaret.

6. Coda

Pina speaks in the same voice as theatrical jurisprudence about law, dance, and life, in ending her 2007 Kyoto speech near the end of her life, where she warns, and we should listen:

> Sometimes, we can only clarify something by confronting ourselves, with what we don't know. And sometimes the questions we have bring us back to experiences which are much older, which not only come from our culture and not only deal with the here and now. It is, as if a certain knowledge returns to us, which we indeed always had, but which is not conscious and present. It reminds us of something, which we all have in common (Bausch 2007).

References

Books and Articles

Bolwell J 2016 'Review: Café Muller / The Rite of Spring Tanztheater Wuppertal Pina Bausch' *Danz* 21 March

Bowen C 2013 '"Everyday a Discovery …" Interview with Pina Bausch' in Climenhaga 2013: 99-102

Climenhaga R ed 2013 *The Pina Bausch Sourcebook: The Making of Tanztheater* Routledge London

Crompton S 2025 '"People Don't Want Choreography – They Want Human Beings": Pina Bausch's Son on Her Legacy' *The Observer* 9 February

Dilger K 2023 'Review: What Remains … From "Café Muller" as Part of the Club Amour Evening by Boris Charmatz' *Tanzweb* 25 November

Elswit K 2014 *Watching Weimar Dance* Oxford University Press Oxford

Fybel R 2022 'Judges, Layers, Legal Theorists, and the Law in Nazi Germany (1933-1938); Kristallnacht; and My Parents Escape from the Nazis' *UCLA Law Review: In Discourse* 10 September

Fountaine C 2020 'Complicity in the Perversion of Justice: The Role of Lawyers in Eroding the Rule of Law in the Third Reich' *St Mary's Journal on Legal Malpractice and Ethics* 10/2: 198-242

Frantini R 2018 'Café Muller's Nocturne. A Reading' Trans N Charlton *Estudis Escènics* 43: 1-26

Fuller L 1969 *The Morality of Law: Revised Edition* Yale University Press New Haven

Goodrich P, Gandorfer D and Gebruers C eds 2022 *Research Handbook on Law and Literature* Edward Elgar Cheltenham

Gross J 1992 *Shylock: A Legend and Legacy* Simon and Schuster New York

Jones D 2025 'Review: Club Amour (Pina Bausch Tanztheater Wuppertal, Terrain Boris Charmatz & Adelaide Festival)' *Limelight Magazine* 12 March

Klein G 2020 *Pina Bausch's Dance Theatre: Company, Artistic Practices and Reception* Transcript Verlag Beilefeld

Laster D 2012 'Embodied Memory: Body-Memory in the Performance Research of Jerzy Grotowski' *New Theatre Quarterly* 28/3: 211-229

Leiboff M 2012 'Ghosts of Law and Humanities (Past Present and Future)' *Australian Feminist Law Journal* 36/1: 3-17

Leiboff M 2016 'Theatricalising Law in Three, 1929-1939 (Brisbane)' *Law Text Culture* 20: 93-135

Leiboff M 2020 *Towards a Theatrical Jurisprudence* Routledge Abingdon

Leiboff M 2022 'Theatricality' in Goodrich et al 2022: 38-63

Leingang R 2025 'Yale professor who Studies Fascism Fleeing US to Work in Canada' *The Guardian* 26 March

Müller, H 2013 'Expressionism?: "Ausdruckstanz and the New Dance Theatre in Germany' Trans M Vensky-Stalling in Climenhaga 2013: 19-30

Müller I 1994 *Hitler's Justice: The Courts of the Third Reich* Trans D Lucas D Harvard University Press Cambridge

Tsui B 2025 *On Muscle: The Stuff that Moves Us and Why it Matters* Headline Press London

Von Flugelhorn W (pseudonym) 2025 'Performance Reviews: Café Müller and Club Amour, Adelaide Festival – A Triple Bill Dance Performance that Dealt with Memory and Repetition' *Artshub* 17 March

Cases

A.A.R.P. v Trump 605 US __ (2025), 16 May 2025

Creative

Adelaide Festival 2025 *Café Müller* [Program] 10-16 March

Bausch P 1978 *Café Müller*

Bausch P 2007 'What Moves Me' *Pina Bausch Foundation Archive*

Berliner Festspiel 2024 *Café Müller* [Program] 7 March

Jarry A 2013 *The Ubu Plays* Trans K McLeish Bloomsbury London

Pepita M and Ivanov L 1895 *Swan Lake*

Purcell H 1692 *The Fairie Queen*

Purcell H c1688 *Dido and Anaeus*

Interview

Charmatz B 2024 'Interview with Boris Charmatz' Trans G Schmidt-Cléach *Festival Avignon* January

Viviana R 2018a 'Interview with Finola Cronin 1/2' *Pina Bausch Foundation Archives* 17 August

Viviana R 2018b 'Interview with Finola Cronin 2/2' *Pina Bausch Foundation Archives* 18 August

Piekenbrock M 2023 'Drei Mal Sechs. Űber Café Müller – Ein Stück von Pina Bausch in der Neuestudierung von Boris Charmatz: Boris Charmatz and Marietta Piekenbrock im Gespräch' *Tanztheater Wuppertal*

Endnotes

1 These events referred to here are not cited individually. They were sourced from contemporaneous news media, including the *BBC*, *CNN*, and *The Guardian* newspaper from January to May 2025.

2 Professor Jason Stanley announced he would be leaving the US where he worked as a 'scholar of fascism'. He was the grandson of a hero of the murder camps of Germany. His grandparents had left Germany in 1932, 1933 and 1939.

3 References to Boris Charmatz in relation to the production of *Café Müller* have been removed from the website of Wuppertal Tanztheater. Barbara Kaufmann is identified as Rehearsal Director as at 19 May 2025, for season 2024/2025.

4 An interview conducted with Marietta Piekenbrock about his approach towards *Café Müller* was held on the website of Wuppertal Tanztheater and consulted up to the end of March 2025. As of 19 May 2025, the interview, except for a brief introduction, had been removed from the site. It was translated with the title of *Three Times Six*. The material cited here comes from that now removed interview.

5 Elswit remarks that *ausdruckstanz* wasn't regularly used as a terminology until after the second world war: Elswit 2014: xxiv-xxv

6 I am indebted to Steven Howe for his insights into the coding of red hair in Nazi Germany, especially the notorious antisemitic 1943 production at the Burgtheater in Vienna of The Merchant of Venice with Shylock depicted by Werner Krass in a red-haired wig, cited in Gross 1992. His current project with Laura Petersen, *Imagining Justice: Law, Politics and Visual Culture in Weimar Germany*, situated at the Institute for Interdisciplinary Legal Studies, Lucernaiuris, at the Faculty of Law, University of Luzern, Switzerland is timely and significant in the context of this article.